

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN**

Brian Teed, on behalf of himself and all
others similarly situated,

Case No. 08-cv-303-bcc

Plaintiff,

Declaration of Kevin Mengelt

vs.

Thomas & Betts Power Solutions, LLC,

Defendant.

Marcus Clay, on behalf of himself and
all others similarly situated,

Case No. 09-cv-313-bcc

Plaintiff,

vs.

Thomas & Betts Power Solutions, LLC,

Defendant.

I, Kevin Mengelt, declare as follows:

1. I was employed by Thomas & Betts Power Solutions, LLC ("TBPS"), in the position of Director of Information Technology from January 26, 2010 through August 16, 2011. Prior to January 26, 2010, I was employed by JT Packard & Associates ("Old JT Packard") as Chief Information Officer, a position I held beginning in mid-2007. Prior to that, I was Director of Information Technology, which was the position I was initially hired into for Old JT Packard on November 20 of 2006. Because of my responsibilities at Old JT Packard and at TBPS, I have personal knowledge regarding Old JT Packard's computer and other information technology systems and equipment,

including servers and databases, and knowledge regarding computer application development and systems. I have specific knowledge regarding the use and maintenance of certain application programming as it relates to field engineers at Old JT Packard, and how data was created and stored relating to their work activities. I am over 18 years of age, have personal knowledge of the facts contained in this Declaration, and could testify to these facts in court if called upon to do so.

2. At the time I started working at Old JT Packard, the company utilized a system called Clearview to manage the work flow process of field engineers. The system would be used to schedule and assign field engineers to customer sites, and the Clearview system would e-mail the field engineer a description of the assignment, along with a field service report cover page (an Excel document), wherein field engineers could enter their travel time and time spent on the job, among other information. The field engineer completed the information and then e-mailed it to an email distribution group managed by the Old JT Packard's data services department, and the information was inputted into the Clearview database by Data Service's staff.

3. In approximately mid-2007, the IT department at Old JT Packard created and began using a system called FieldPlus to enable field engineers to record work activities on a more automated basis, rather than through the manual transmission of the Clearview e-mails and Excel attachments (FSR reports) that were utilized previously. I was personally responsible for training field engineers on the use of the FieldPlus system. I conducted training when FieldPlus was originally rolled out, and then periodically, as new significant features were added to the program. One feature that was added to

FieldPlus at some point in 2008 was a "utilization" tab in the program. The "utilization" tab was essentially a drop-down menu in which the field engineer could access categories of activities, including administrative time, training time, and tech support, and input time spent on such activities. I recall that I specifically trained field engineers on this added functionality, and during such training I specifically told them it was important to accurately and comprehensively input time in the "utilization" tab under those categories to the extent they spent time on such tasks. I also instructed field engineers that, as a general rule, they were to use FieldPlus, rather than FSRs to record their work activities.

4. Although Old JT Packard began using EZ Labor to track and record time worked by field engineers in the fall of 2009, Field Engineers were instructed to continue entering work time and data into FieldPlus as well as use ezLabor. Data Services required entry of FE time and data into FieldPlus or Clearview before assigned work would be closed out. All current and historical data from the Clearview and FieldPlus system databases is still maintained in the ordinary course of TBPS' business. I have had occasion to pull data from those databases regarding the hours worked by field engineers that are part of this lawsuit prior to September 2009, and have observed a significant number of weeks in which field engineers did not come close to reporting 40 hours of work on a weekly basis.

I declare under penalty of perjury that the foregoing is true and correct

Dated this 19th day of August, 2011.



Kevin Mengelt